

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re JUAN MUÑOZ,  
Plaintiff.

No. C 10-3779 CRB (PR)  
ORDER OF DISMISSAL

On August 17, 2010, plaintiff mailed a letter to the court seeking appointment of counsel in connection with a claim of deliberate indifference to his serious medical needs.

On August 25, 2010, the clerk filed the letter as a new action and assigned it to the undersigned. The clerk also notified plaintiff in writing at that time that the action was deficient because plaintiff did not attach a complaint or pay the requisite \$350.00 filing fee or, instead, submit a signed and completed court-approved in forma pauperis application. Plaintiff was advised that failure to file the requested items within 30 days would result in dismissal of the action.

On September 17, 2010, plaintiff filed a letter explaining that his letter of August 17, 2010 was intended to alert Judge Henderson of the problems he was encountering with a pending action in the Southern District, and not an attempt to start a new action in this district.

Good cause appearing, the instant action is DISMISSED as improvidently opened. The clerk shall close the file. No filing fee is due.

SO ORDERED.

DATED: Oct. 20, 2010

  
CHARLES R. BREYER  
United States District Judge